

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court pursuant to the order [Doc. 26] of the Honorable Thomas W. Phillips, United States District Judge, for an order regarding adjustment of deadlines contained in the scheduling order [Doc. 9] to comport with the new trial date of August 3, 2010. The parties appeared before the undersigned on January 5, 2010, for a scheduled pretrial conference. Assistant United States Attorney Matthew Morris was present on behalf of the Government. Attorney Jonathan Wood appeared on behalf of Defendant Price, who was present. Attorney Joseph Fanduzz appeared on behalf of Defendant Brabson, who was also present. Attorney Gerald Gulley participated telephonically on behalf of Defendant Jacobs.

At the pretrial conference, the parties agreed on a pretrial motion filing deadline of **February 5, 2010**, and a motion response deadline of **February 19, 2010**. Accordingly, to the extent that they request an extension of the pretrial motion filing deadline, the continuance motions filed by Defendant Jacobs [Doc. 24] and Defendant Brabson [Doc. 25] are **GRANTED**. The parties also

agreed to establish a plea negotiation deadline concurrent with the date of the final pretrial conference, which is hereby reset to **July 6, 2010, at 11:00 a.m.**, before the undersigned.¹

The trial of this matter remains set to commence on **August 3, 2010**, before the Honorable Thomas W. Phillips, United States District Judge. By agreement of the parties and the order [Doc. 26] of the District Court, all of the time between the January 5, 2010 pretrial conference and the trial date of August 3, 2010, is fully excludable time under the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(A)-(B).

It is ORDERED:

- (1) The pretrial motion filing deadline is extended to **February 5, 2010**, and the motion response deadline is extended to **February 19, 2010**;
- (2) To the extent that they request an extension of the pretrial motion filing deadline, the continuance motions [**Docs. 24 and 25**] filed by Defendant Jacobs and Defendant Brabson are **GRANTED**;
- (3) The final pretrial conference is set for **July 6, 2010, at 11:00 a.m.**, before the undersigned, and this date is also the plea negotiation deadline;
- (4) The trial of this matter remains set to commence on **August 3, 2010**, before the Honorable Thomas W. Phillips, United States District Judge; and
- (5) By agreement of the parties and the order [Doc. 26] of the District Court, all time between the January 5, 2010 pretrial conference and the trial date of August 3, 2010 is fully excludable time under the Speedy Trial Act.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge

¹ Though another date was initially agreed upon at the conference based on the presumed schedule of the District Court, the parties subsequently communicated with the District Court and agreed upon the date of **July 6, 2010, at 11:00 a.m.**